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8
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF ARIZONA

11 In Re Bard IVC Filters Products
12 Liability Litigation

No. MD-15-02641-PHX-DGC

13 SHERR-UNA BOOKER, an individual,
14 Plaintiff,
15 v.
16 C.R. BARD, INC., a New Jersey
corporation and BARD PERIPHERAL
17 VASCULAR, an Arizona corporation,
18 Defendants.

**PLAINTIFF'S NOTICE OF LODGING
EXHIBITS UNDER SEAL REGARDING
PLAINTIFF'S ADDITIONAL
BRIEFING RE ADMISSIBILITY OF
TOPICS 3, 7 & 8 OF FDA 483
WARNING LETTER ISSUED JULY 13,
2015**

(The Honorable David G. Campbell)

20 Pursuant to LRCiv 5.6(d), Plaintiff submits this Notice of Lodging Exhibits Under
21 Seal regarding Plaintiff's Additional Briefing Re Admissibility of Topics 3, 7 & 8 of FDA
22 483 Warning Letter Issued July 13, 2015.

23 Plaintiff provides notice that, pursuant to LRCiv 5.6(d), they have lodged with the
24 Court the documents listed on Exhibit A to this Notice.

25 Defendants contend that the documents listed in Exhibit A are confidential and
26 should be filed under seal. As required under LRCiv 5.6(d), Plaintiff certifies that on
27 March 25, 2018, the parties met and conferred in good faith and were unable to agree
28 about whether the documents are confidential under the Protective Order and should be

1 filed under seal. Plaintiff does not believe that the disputed documents warrant continued
2 confidential treatment as proprietary or sensitive trade secret information.

3 RESPECTFULLY SUBMITTED this 25th day of March, 2018.

4 GALLAGHER & KENNEDY, P.A.
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6 By: /s/ Mark S. O'Connor
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11 *Counsel for Plaintiffs*
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13 **CERTIFICATE OF SERVICE**

14 I hereby certify that on this 25th day of March 2018, I electronically transmitted the
15 attached document to the Clerk's Office using the CM/ECF System for filing and
16 transmittal of a Notice of Electronic Filing.

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18 /s/ Gay Mennuti
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EXHIBIT A

Exhibit A FDA Warning letter dated July 13, 2015

Exhibit B Chart of FDA Warning Letter Complaints

Exhibit C Deposition Transcript Excerpts of Chad Modra

Exhibit D BPV-17-01-00206142-6168

Exhibit E Sherr-Una Booker's Complaint Record Detail Reports